



**Zoning**  
**CITY OF AUSTIN**  
**RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: Z-23**  
**AGENDA DATE: Thu 12/02/2004**  
**PAGE: 1 of 1**

**SUBJECT:** C14-04-0139 - Howard Lane Industrial Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1100 East Howard Lane (Harris Branch Creek Watershed) from interim-rural residence (I-RR) district zoning to limited industrial services (LI) district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Applicant: Capital City Partners, Inc. (William M. Faust). Agent: The Faust Group (Bill Faust). City Staff: Sherri Gager, 974-3057.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-04-0139

**Z.A.P. DATE:** October 19, 2004  
November 2, 2004

**ADDRESS:** 1100 East Howard Lane

**OWNER/APPLICANT:** Capital City Partners, Inc. (William M. Faust)

**AGENT:** The Faust Group (Bill Faust)

**ZONING FROM:** I-RR                      **TO:** LI                      **AREA:** 67.890 acres

**SUMMARY STAFF RECOMMENDATION:**

The staff's alternate recommendation is for LI-CO, Limited Industrial Services-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity for the site to less than 2,000 vehicle trips per day.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

10/19/04: Postponed to 11/2/04 by the Neighborhood (9-0); J. Martinez-1<sup>st</sup>, J. Gohil-2<sup>nd</sup>.

11/2/04: Approved staff's recommendation of LI-CO zoning with added condition of no Adult Oriented Businesses, by consent (9-0); J. Martinez-1<sup>st</sup>, J. Gohil-2<sup>nd</sup>.

**DEPARTMENT COMMENTS:**

The site under consideration is currently undeveloped. This property was full purpose annexed by the City of Austin on December 31, 2003. The applicant is seeking permanent zoning for this site to construct office/warehouse uses that were approved by the City of Austin through site plan case SP-03-0385D. The site plan was submitted on September 17, 2003, prior to the property's annexation by the city.

The staff is recommending LI-CO zoning for this site because of the commercial/industrial character of the area and because the property fronts onto and will take access from Howard Lane, a major arterial roadway. The proposed LI-CO zoning will allow the applicant to construct previously approved uses on the site in conformance with the City of Austin Land Development Code regulations.

The applicant agrees with the staff recommendation.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	County	Undeveloped
<i>South</i>	GR, LO-CO	Undeveloped
<i>East</i>	I-RR	Single-Family Homestead/ Ranch
<i>West</i>	LI-PDA, County	Undeveloped, Single-Family Residential

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Harris Branch

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

- 64 - River Oaks Lakes Estates Neighborhood
- 114 - North Growth Corridor Alliance
- 643 - North East Action Group

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-04-0120	I-LI to LI	9/7/04: Approved staff's recommendation of LI-CO by consent (8-0, J. Martinez-absent)	10/21/04: Pending
C14-04-0073	CS-CO to CS-1	7/20/04: Approved staff's recommendation of CS-1 zoning by consent (8-0, J. Pinnelli-absent)	8/26/04: Approved CS-1 (7-0); all 3 readings
C14-03-0069	SF-2 to CS	5/6/03: Approved CS-CO zoning with condition to prohibit Adult Oriented Businesses, by consent (8-0, K. Jackson-absent)	6/5/03: Granted CS-CO on all 3 readings (7-0)
C14-02-0111	Tract 1: GR-CO to GR Tract 2: CS-CO to CS	10/15/02: Approved staff's recommendation of GR-CO; CS-CO zoning with added condition to prohibit Automotive Sales; by consent (7-0, D. Castaneda-absent)	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)
C14-01-0169	IP to CS	2/5/02: Approved staff's alternate rec. of CS-CO w/conditions by consent (8-0)	3/21/02: Approved CS-CO w/ other conditions (7-0); 1 <sup>st</sup> reading 4/11/02: Approved CS-CO (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-00-2099	SF-2, GR to CS	10/17/00: Approved staff's rec. of CS-CO, with no Adult Oriented Businesses (8-0)	12/14/00: Approved CS-CO w/ additional prohibited uses (7-0); all 3 readings
C14-98-0265	AV to LI	5/25/99: Approved staff rec. of LI-PDA w/ condition regarding bicycle parking	6/3/03: Approved LI-PDA w/ conditions (7-0); all 3 readings-on emergency passage
C14-98-0212	I-RR to CS	Approved GR-CO w/conditions for front to match existing GR and CS-CO for remainder of property, prohibit auto repair and auto washing except for on-site tenants (5-2, GW/DS-Nay) on 12/15/98	Approved PC rec. of GR-CO w/ conditions 97-0); 1 <sup>st</sup> reading on 1/14/99 Approved CS-CO w/ conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings on 4/15/99

C14-96-0131	SF-2 to GR	12/10/96: Approved staff rec. of GR (9-0)	1/9/97: Approved GR-CO w/ conditions (7-0); 1 <sup>st</sup> reading  3/20/97: Approved GR-CO w/conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-93-0094	SF-2 to GR, CS-1	8/17/93: Approved CS-1-CO (TR1), GR-CO (TR2) w/ conditions (5-0)	11/3/94: Approved CS-1-CO & GR-CO (5-0); all 3 readings
C14-93-0047	SF-2 to CS	4/27/93: Approved GR-CO (6-0)	5/6/93: Approved GR-CO & CS-CO w/ conditions (6-0); 1 <sup>st</sup> reading  6/17/93: Approved GR-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

**RELATED CASES:** C7A-03-013 – Annexation  
SP-03-0385D – Approved Site Plan

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Howard Lanc	Varies	Varies	Major Arterial	-
Harris Ridge Boulevard	Varies	Varies	Collector	-

**CITY COUNCIL DATE:** December 2, 2004

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

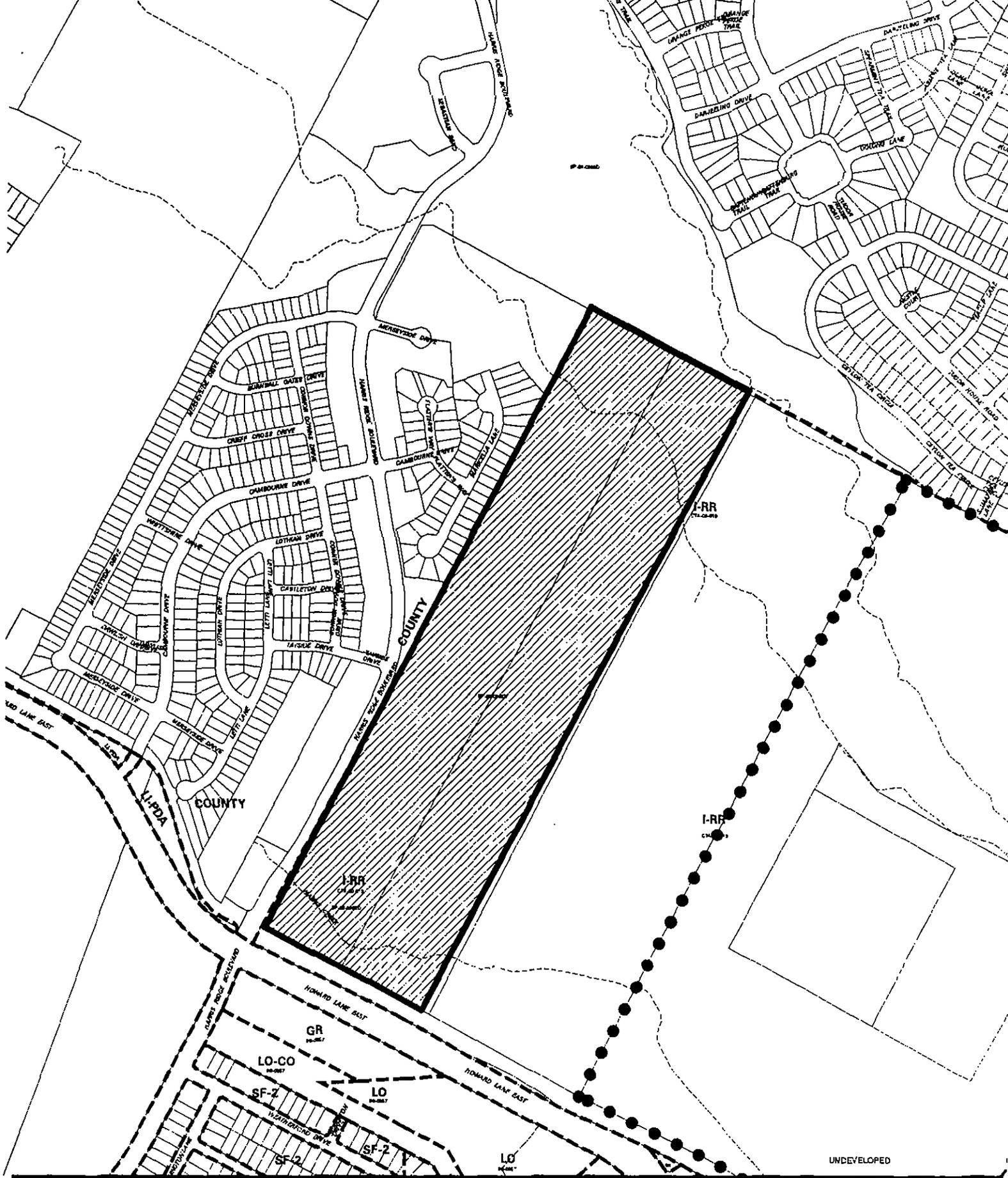
2<sup>nd</sup>

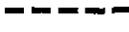
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Gager

**PHONE:** 974-3057,  
[sherri.gager@ei.austin.tx.us](mailto:sherri.gager@ei.austin.tx.us)



 1" = 600'	<b>SUBJECT TRACT</b> 	<b>ZONING</b>  <b>CASE #: C14-04-0139</b> <b>ADDRESS: 1100 E HOWARD LANE</b> <b>SUBJECT AREA (acres): 67.890</b>	<b>DATE: 04-08</b>  <b>INTLS: SM</b>	<b>CITY GRID REFERENCE NUMBER</b>  <b>P34-35</b>
	<b>PENDING CASE</b> 			
	<b>ZONING BOUNDARY</b> 			
	<b>CASE MGR: S. GAGER</b>			

UNDEVELOPED

CITY GRID REFERENCE NUMBER  
P34-35

CASE #: C14-04-0139  
ADDRESS: 1100 E HOWARD LANE  
SUBJECT AREA (acres): 67.890

DATE: 04-08

INTLS: SM

GR-CO



I-RR

I-RR  
CRACKS

MERSEYSIDE DRIVE  
GATES DRIVE  
HARLE DRIVE

FLATFIELD DRIVE  
GAMER JURNER DRIVE  
W/AY

CASTLETON DRIVE  
RIDGE BOULEVARD

SMITHS RIVER BOULEVARD  
SMITHS RIVER BOULEVARD

DOUGLAS DRIVE  
DOWNS DRIVE

LETTING DRIVE  
LETTING DRIVE

COUNTY

L.P.D.A.

GR

## **STAFF RECOMMENDATION**

The staff's alternate recommendation is for LI-CO, Limited Industrial Services-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity for the site to less than 2,000 vehicle trips per day.

## **BACKGROUND**

The site under consideration is currently undeveloped. This property was full purpose annexed by the City of Austin on December 31, 2003. The applicant is seeking permanent zoning for this site to construct office/warehouse uses that were approved by the City of Austin through site plan case SP-03-0385D. This site plan was submitted on September 17, 2003, prior to annexation.

The staff is recommending LI-CO zoning for this site because of the commercial/industrial character of the area and because the property fronts onto and will take access from Howard Lane, a major arterial roadway. The proposed LI-CO zoning will allow the applicant to construct previously approved uses on the site in conformance with the City of Austin Land Development Code regulations.

The applicant agrees with the staff recommendation.

## **BASIS FOR RECOMMENDATION**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The Limited Industrial Services district (LI) is the designation is for a commercial service use or limited manufacturing use generally located on a moderately-sized site.

2. *The proposed zoning should promote consistency, and orderly planning.*

The LI-CO zoning district would be compatible and consistent with the surrounding uses because the property is located in the vicinity to other commercial and industrial uses to the south and west. There is LI-PDA and IP zoning to the southwest of the property in question, across Howard Lane.

3. *The proposed zoning should allow for a reasonable use of the property.*

The LI-CO zoning district would allow for a fair and reasonable use of the site. The property in question meets the minimum site development requirements in the LI zoning district.

LI-CO zoning is appropriate for this site because the location of the property and the commercial and industrial character of the area. The property fronts onto and will take access from Howard Lane, an arterial roadway.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is currently undeveloped and sparsely vegetated. The property slopes to the north where floodplain from Harris Creek traverses the site.

### Impervious Cover

The maximum impervious cover allowed by the LI zoning district would be 80 %. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

### Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Harris Branch Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

**Transportation**

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 61,379 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Capital Metro bus service is not available within 1/4 mile of this property.

Howard Lane is classified in the Bicycle Plan as a Priority 1 bike route.

There are existing sidewalks along Howard Lane.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Howard Lane	Varies	Varies	Major Arterial
Harris Ridge Boulevard	Varies	Varies	Collector

**Right-of-Way**

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

**Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. Water and wastewater utility improvements and system upgrades are required. The landowner will be responsible for all costs and for providing. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The landowner must be in accordance with the City utility design criteria and specifications.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

### **Compatibility Standards**

There is an approved site plan for this property, file SP-03-0385D.

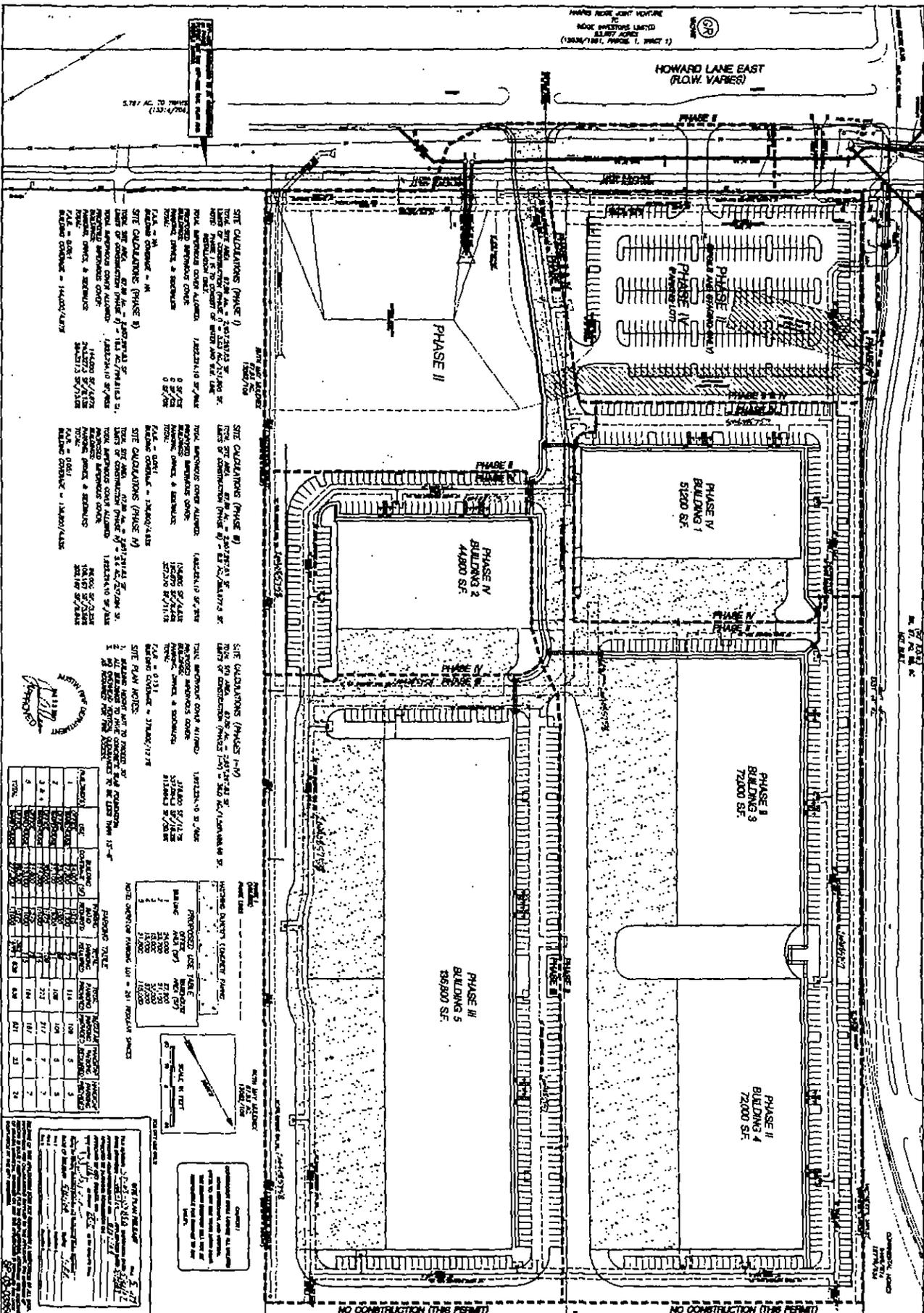
Any new development on this site would be subject to Compatibility Standards due to the existing single-family residence on the tract to the east of this site. Along the eastern property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.







ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE  
2 PROPERTY LOCATED AT 1100 EAST HOWARD LANE AND CHANGING THE  
3 ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO  
4 LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY (LI-CO)  
5 COMBINING DISTRICT.  
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
8

9 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to  
10 change the base district from interim rural residence (I-RR) district to limited industrial  
11 services-conditional overlay (LI-CO) combining district on the property described in  
12 Zoning Case No. C14-04-0139, on file at the Neighborhood Planning and Zoning  
13 Department, as follows:  
14

15 A 67.890 acre tract of land, more or less, out of the Alexander Walters Survey No.  
16 6, Travis County, the tract of land being more particularly described by metes and  
17 bounds in Exhibit "A" incorporated into this ordinance, (the "Property")  
18

19 locally known as 1100 East Howard Lane, in the City of Austin, Travis County, Texas, and  
20 generally identified in the map attached as Exhibit "B".  
21

22 PART 2. The Property within the boundaries of the conditional overlay combining district  
23 established by this ordinance is subject to the following conditions:  
24

25 A site plan or building permit for the Property may not be approved, released, or  
26 issued, if the completed development or uses of the Property, considered cumulatively with  
27 all existing or previously authorized development and uses, generate traffic that exceeds  
28 2,000 trips per day.  
29

30 Except as specifically restricted under this ordinance, the Property may be developed and  
31 used in accordance with the regulations established for the limited industrial services (LI)  
32 base district and other applicable requirements of the City Code.  
33  
34  
35  
36  
37



## EXHIBIT "A "

A DESCRIPTION OF 67.890 ACRES IN THE ALEXANDER WALTERS SURVEY NO. 67 IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 33.941 ACRE TRACT (TRACT I) AND ALL OF A 33.945 ACRE TRACT (TRACT II) AS DESCRIBED IN A GENERAL WARRANTY DEED TO CWS COMMUNITIES, DATED APRIL 23, 1998, OF RECORD IN VOLUME 13174, PAGE 1813 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.; SAID 67.890 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a ½" rebar with cap set in the north line of Howard Lane (right-of-way width varies), being also the southwest corner of said Tract 1, being in the east line of Heatherwilde Boulevard (90' right-of-way width) as dedicated by plat of Northtown Park Section 3, a subdivision of record in Volume 87, Page 9B of the Plat Records of Travis County, Texas;

**THENCE** North 27°42'37" East, with the west line of Tract I, with the east line of Heatherwilde Boulevard, at 1201.17 feet passing a point of curvature for said Heatherwilde Boulevard, departing Heatherwilde Boulevard and continuing with the east line of a 305.768 acre tract described in Volume 8496, Page 574 of the Deed Records of Travis County, Texas, and continuing with the east line of Northtown Park Section 5-A, a subdivision of record in Volume 91, Page 188 of the Plat Records of Travis County, Texas, and continuing with the east line of a 4.652 acre tract described in Volume 12088, Page 492 of the Real Property Records of Travis County, Texas, for a total distance of 3411.37 feet to a ½" rebar found at the northwest corner of said Tract I, being also the northeast corner of the said 4.652 acre tract, and being in the south line of a 267.666 acre tract described in Volume 13310, Page 1431 of the Real Property Records of Travis County, Texas;

**THENCE** with the common line of Tract I and the 267.666 acre tract, the following two (2) courses:

1. South 62°12'15" East, a distance of 84.00 feet to a 60d nail found in a hackberry tree stump;
2. South 61°57'45" East, a distance of 349.51 feet to a ½" rebar found for the northeast corner of Tract I, being also the northwest corner of Tract II;

**THENCE** South 62°26'25" East, with the common line of Tract II and the 267.666 acre tract, a distance of 433.60 feet to a ½" rebar found for the northeast corner of Tract II,

**EXHIBIT "A. "**

being also the northwest corner of a 67.93 acre tract described in Volume 13082, Page 106 of the Real Property Records of Travis County, Texas;

**THENCE** South 27°42'20" West, with the common line of Tract II and the 67.93 acre tract, a distance of 3410.11 feet to a ½" rebar found for the southeast corner of Tract II, being also the southwest corner of the 67.93 acre tract, and being also in the north line of Howard Lane;

**THENCE** North 62°18'30" West, with the south line of Tract II and the north line of Howard Lane, a distance of 433.77 feet to a ½" rebar with cap set for the southwest corner of Tract II, being also the southeast corner of Tract I;

**THENCE** North 62°18'30" West, with the south line of Tract I and the north line of Howard Lane, a distance of 433.60 feet to the **POINT OF BEGINNING**, containing 67.890 acres of land, more or less.



 1" = 600'	SUBJECT TRACT 	<b>ZONING EXHIBIT B</b>	CITY GRID REFERENCE NUMBER P34-35		
	PENDING CASE 			CASE #: C14-04-0139	DATE: 04-08
	ZONING BOUNDARY 			ADDRESS: 1100 E HOWARD LANE	INTLS: SM
	CASE MGR: S. GAGER			SUBJECT AREA (acres): 67.890	